



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Roback, et al.

Serial No. 10/602,981

Filing Date: June 24, 2003

For: **Immunological Assay Systems and Method**

Confirmation No.: Not yet assigned

Examiner: Not yet assigned

Docket No. 050508-1031

Group Art Unit: 1646

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

This information disclosure statement is filed in accordance with 37 C.F.R. §§ 1.56, 1.97, and 1.98. Listed on the accompanying form PTO-1449 are documents which may or may not be considered material to the examination of this application. These documents were made of record in a prior application filed January 31, 2001 and having serial no. 09/773,826, to which priority is claimed relative to the present application pursuant to 35 U.S.C. §120. Copies of these documents are not being provided pursuant to 37 C.F.R. § 1.98(d)(1) and (2), which provides:

(d) A copy of any patent, publication, pending U.S. application or other information, as specified in paragraph (a) of this section, listed in an information disclosure statement is required to be provided, even if the patent, publication, pending U.S. application or other information was previously submitted to, or cited by, the Office in an earlier application, unless:

(1) The application is properly identified in the information disclosure statement and is relied on for an earlier effective filing date under 35 U.S.C. §120; and

(2) The information disclosure statement submitted in the earlier application complies with paragraphs (a) through (c) of this section.

The following rights are reserved by the Applicant(s): the right to establish the patentability of the claimed invention over any of the listed documents should they be applied as reference, the right to prove that some of these documents may not be prior art, and/or the right to prove that some of these documents may not be enabling for the teachings they purport to offer.

This statement should not be construed as a representation that an exhaustive search has been made, or that information more material to the examination of the present application does not exist. The Examiner is specifically requested not to rely solely on the materials submitted herewith. The Examiner is requested to conduct an independent and thorough review of the documents, and to form independent opinions as to their significance.

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449 to indicate the documents have been considered.

Respectfully submitted,

**THOMAS, KAYDEN, HORSTEMEYER
& RISLEY, L.L.P.**

By:



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Docket: 050508-1031
00079545

Form PTO-1449

**INFORMATION DISCLOSURE CITATION***(Use several sheets if necessary)*

Attorney Docket No.

050508-1031

Serial No.

10/602,981

Applicant

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June 24, 2003

Group

1646

U.S. PATENT DOCUMENTS

Examiner Initials	Item	Document Number	Date	Name	Class	Subclass	Filing Date If Appropriate
	A	5,273,718	12/28/93	Skold, et al.	422	101	
	B	5,603,899	02/18/97	Franciskovich, et al.	422	100	
	C	5,620,898	04/15/07	Yaremko, et al.	436	45	
	D	5,762,878	06/09/98	Clark, et al.	422	102	
	E	5,776,711	07/07/98	Vyas, et al.	435	7.25	
	F	5,968,731	10/19/99	Layne, et al.	435	5	
	G	6,008,040	12/28/99	Datar, Rajiv V.	435	325	

FOREIGN PATENT DOCUMENTS

		Document Number	Date	Country	Class	Subclass	Translation	
							Yes	No

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)

* Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.

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DATE CONSIDERED:



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Gloria Simmons
Gloria Simmons

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The following is a list of documents enclosed:

Return Postcard
Information Disclosure Statement
Form PTO-1449 (1 pages)

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